

ANDRE GOBIN, §  
§  
*Plaintiffs,* §  
§  
v. § Civil Action No. SA-10-CV-47-XR  
§  
ERIC HOLDER, United States Attorney §  
General, JANET NAPOLITANO, Secretary §  
of the Department of Homeland Security, §  
JULIE L. MYERS, Asstistant Secretary, §  
United States Immigration and Customs §  
Enforcement, MICHAEL J. PITTS, United §  
States Immigration and Customs §  
Enforcement Acting Field Office Director, §  
and GARY GOMEZ, Warden, Immigration §  
Detention Facility, §  
§  
*Defendants.* §

On this date, the Court considered the United States Magistrate Judge’s Memorandum and Recommendation in the above-numbered and styled case (Docket Entry No. 2). After careful consideration, the Court ACCEPTS the Magistrate Judge’s recommendation to affirm the Commissioner’s decision.

Any party who desires to object to a Magistrate Judge's findings and recommendations must serve and file his written objections within fourteen days after being served with a copy of the findings and recommendations. 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b). The Magistrate Judge issued his Memorandum and Recommendation on February 8, 2010. Accordingly, objections were due by February 28, 2010. Because no party has objected to the Magistrate Judge's Memorandum and Recommendation, the Court need not conduct a de novo review. *See* 28 U.S.C. § 636(b)(1) ("A

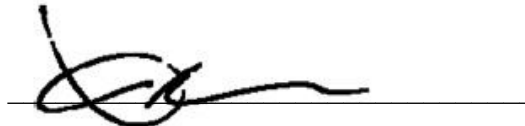
judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.”).

In this case, Petitioner Andre Gobin seeks a writ of habeas corpus, challenging his continued detention pending removal from the United States. Gobin was deported from the United States on February 3, 2010. The Magistrate Judge found that Gobin’s request to be released on bond pending removal has become moot.

The Court has reviewed the Memorandum and Recommendation and finds it to be neither clearly erroneous nor contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918 (1989). Accordingly, the Court ACCEPTS the Magistrate Judge’s recommendation to DISMISS the petition for a writ of habeas corpus as moot.

It is so ORDERED.

SIGNED this 1st day of March, 2010.

A handwritten signature in black ink, appearing to read 'Xavier Rodriguez', is written over a horizontal line.

XAVIER RODRIGUEZ  
UNITED STATES DISTRICT JUDGE